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10/529658

PATENT COOPERATION TREATY

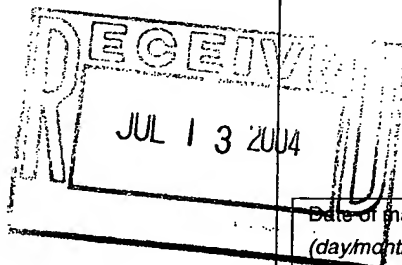
From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

CALDWELL, Stacey, E.  
Molex Incorporated  
2222 Wellington Court  
Lisle, IL 60532  
ETATS-UNIS D'AMERIQUE

PCT

WRITTEN OPINION  
(PCT Rule 66)



Date of mailing  
(day/month/year)

07.07.2004

Applicant's or agent's file reference  
A3-069PCT

REPLY DUE

within 3 month(s)  
from the above date of mailing

International application No.  
PCTUS 03/30528

International filing date (day/month/year)  
26.09.2003

Priority date (day/month/year)  
03.10.2002

International Patent Classification (IPC) or both national classification and IPC  
G06K13/08

Applicant  
MOLEX INCORPORATED et al.

1. This written opinion is the **first** drawn up by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
  - I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application

3. The applicant is hereby **invited to reply** to this opinion.

**When?** See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

**How?** By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

**Also:** For an additional opportunity to submit amendments, see Rule 66.4.  
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.  
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 03.02.2005

DOCKET

FEN12

Case No. : A3-069PCT

Serial No. :

Name and mailing address of the international preliminary examining authority:



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Arenz, R

Formalities officer (incl. extension of time limits)

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ITEM : Article 34 amendment

DATE DUE 10-7-04



*[Signature]*

**I. Basis of the opinion**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

**Description, Pages**

1-10 as originally filed

**Claims, Numbers**

1-7 as originally filed

**Drawings, Sheets**

1/7-7/7 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

6. Additional observations, if necessary:

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1
Inventive step (IS)	Claims	2-7
Industrial applicability (IA)	Claims	

**2. Citations and explanations****see separate sheet**

**Re Item V**

**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Reference is made to the following documents:

D1: WO-A-0207269

D2: EP-A-1193807

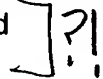
D3: US-A-6068516

D4: US-A-6116950

2. The subject-matter of claim 1 is not new (Article 33(2) PCT).

Claim 1 defines a "...projection being bent into elbow-shaped cross-sectional configuration ..." without further defining a orientation of the cross-section nor the elbow shape.

Therefore, document D1 disclosing a memory card connector (cf. fig. 1, 13, 16, 20, 22) and being considered to represent the most relevant state of the art, fully anticipates the subject-matter of claim 1.

In D1 (cf. fig. 1; page 9, lines 18ff ) a stopper tab 94 is stamped and formed out of a window, this stopper tab has an L-shape (an L turned upside down) and therefore also the claimed elbow shape. 

3. Dependent claims 2-7 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step. since the additional features of claims 2-7 concerns slight constructional changes which come within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen.
4. It is not at present apparent which part of the application could serve as a basis for a new, allowable claim. Should the applicant nevertheless regard some particular matter as fulfilling the requirements of Article 33(2) and 33(3) PCT, an independent claim should be filed taking account of Rule 6.3 b) i) ii) PCT. The applicant should also **indicate in the letter of reply the difference of the subject-matter of the new claim vis-à-vis the state of the art and the**

**significance thereof.**

5. When filing amended claims the applicant should consider following:
- a. The description should be brought into conformity with the amended set of claims as required by Rule 5.1(a)(iii) PCT.
  - b. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1-D3 are not mentioned in the description, nor are these documents identified therein.
  - c. The independent claim needs to be filed in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(I) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).
  - d. The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
  - e. In order to facilitate the examination of the conformity of the amended application with the requirements of Article 34(2)(b) PCT, the applicant is requested to clearly identify the amendments carried out, no matter whether they concern amendments by addition, replacement or deletion, and to indicate the passages of the application as filed on which these amendments are based (see also Rule 66.8(a) PCT).

If the applicant regards it as appropriate these indications could be submitted in handwritten form on a copy of the relevant parts of the application as filed.

- f. The applicant is requested to file amendments by way of replacement pages in the manner stipulated by Rule 66.8(a) PCT. In particular, fair copies of the amendments should be filed preferably in triplicate.

Moreover, the applicant's attention is drawn to the fact that, as a consequence of Rule 66.8(a) PCT the examiner is not permitted to carry out any amendments under the PCT procedure, however minor these may be.